

ESTTA Tracking number: **ESTTA1040241**Filing date: **03/05/2020**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**Petition for Cancellation**

Notice is hereby given that the following party has filed a petition to cancel the registration indicated below.

Petitioner Information

Name	C.P.C. Creative Perfume Company Holding SA		
Entity	SOCIÉTÉ ANONYME (SA)	Citizenship	Switzerland
Address	Rue du Mont-de-Sion 8, c/o Lenhill Partners SA Genève, CH-1206 SWITZERLAND		
Attorney information	Howard W. Kline Nath, Goldberg & Meyer 112 S. West Street Alexandria, VA 22314 UNITED STATES jgoldberg@nathlaw.com, hkline@nathlaw.com, tm@nathlaw.com 703-548-6284		

Registration Subject to Cancellation

Registration No.	2705012	Registration date	04/08/2003
Registrant	DO NOT DISTURB, INC. STE 103 PMB 360 5665 ATLANTA HIGHWAY ALPHARETTA, GA 30004 UNITED STATES		

Goods/Services Subject to Cancellation

Class 003. First Use: 2000/01/01 First Use In Commerce: 2000/03/06
All goods and services in the class are subject to cancellation, namely: Heated mittens and booties for cosmetic purposes to be used with aromatherapy oils and scents

Grounds for Cancellation

Abandonment	Trademark Act Section 14(3)
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Attachments	Petition for Cancellation.pdf(5074406 bytes)
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Signature	/Howard W. Kline/
Name	Howard W. Kline
Date	03/05/2020

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In the Matter of Registration No. 2,705,012

Registered on April 8, 2003

For the mark "DO NOT DISTURB"

C.P.C. CREATIVE PERFUME COMPANY)
HOLDING SA)

Petitioner,)

v.)

DO NOT DISTURB, INC.)

Respondent.)

Cancellation No. _____

PETITION FOR CANCELLATION

Petitioner, C.P.C. Creative Perfume Company Holding SA ("Petitioner"), a Switzerland Société Anonyme (SA), having a principal place of business at Rue du Mont-de-Sion 8, c/o Lenhill Partners SA, CH-1206 Genève, SWITZERLAND, believes it is and will continue to be damaged by U.S. Trademark Registration No. 2,705,012 for the mark DO NOT DISTURB, and hereby petitions to cancel this registration pursuant to Section 14(3) of the Trademark Act, 15 U.S.C. §1064(3).

Respondent's Registration

1. Upon information and belief, Respondent, Do Not Disturb, Inc. ("Respondent") is the owner of record of U.S. Trademark Registration No. 2,705,012 for the mark DO NOT DISTURB ("Respondent's Registration"), for the following Class 3 goods, "Heated mittens and booties for cosmetic purposes to be used with aromatherapy oils and scents."

2. Upon information and belief, Respondent was a Georgia corporation having an address of STE 103 PMB 360 5665 ATLANTA HIGHWAY ALPHARETTA, GEORGIA 30004.

3. Upon information and belief, Respondent's listed email addresses are: mary@dodisturb.com and customerservice@dodisturb.com.

4. Upon information and belief, Respondent's Registration results from U.S. Trademark Application Serial No. 75/898,549, filed January 19, 2000, and registered on April 8, 2003. Respondent's Registration is based on use of the mark in commerce in the United States.

5. Upon information and belief, Respondent's Registration was maintained by filing a Declaration of Use and Incontestability on April 21, 2008, and a combined Declaration of Use and Renewal Application on March 6, 2013. Respondent's Registration is the subject of this petition.

Petitioner's Application and Standing

6. On May 8, 2019, Petitioner filed U.S. Trademark Application Serial No. 79/264,321 ("Petitioner's Application"), based upon Section 66(a), 15 U.S.C. §1141(f), with the United States Patent and Trademark Office ("USPTO"), with a priority date of March 29, 2019, for registration of DO NOT DISTURB, on the Principal Register, for the following goods: "Amber [perfume]; aromatics [essential oils]; air fragrancings preparations; cake flavorings [essential oils]; flavorings for beverages [essential oils]; food flavorings [essential oils]; breath freshening sprays; balms, other than for medical purposes; lip glosses; sachets for perfuming linen; scented water; Javelle water; lavender water; toilet water; depilatory wax; mustache wax; massage gels, other than for medical purposes; heliotropine; make-up; deodorants for pets; deodorants for human beings or for animals; depilatory preparations; air fragrance reed diffusers; scented wood; perfumes; perfumery; decorative transfers for cosmetic purposes; ionone [perfumery]; eyebrow pencils; cosmetic pencils; adhesives for affixing false eyelashes; adhesives for affixing false hair; hair conditioners; beard dyes; cosmetic dyes; cosmetic creams; skin whitening creams; incense;

hair spray; nail polish; hair lotions; lotions for cosmetic purposes; after-shave lotions; beauty masks; oils for perfumes and scents; oils for cosmetic purposes; oils for toilet purposes; essential oils; essential oils of cedarwood; essential oils of lemon; essential oils of citron; oils for cleaning purposes; bergamot oil; gaultheria oil; jasmine oil; lavender oil; almond oil; rose oil; almond milk for cosmetic purposes; cleansing milk for toilet purposes; musk [perfumery]; deodorant soap; shaving soap; soap for brightening textile; cakes of toilet soap; antiperspirant soap; soap for foot perspiration; soap; almond soap; mint for perfumery; cosmetic kits; eau de Cologne; bases for flower perfumes; joss sticks; dentifrices; lipstick cases; breath freshening strips; teeth whitening strips; lipsticks; pomades for cosmetic purposes; shaving preparations; cosmetic preparations for baths; bath preparations, not for medical purposes; hair straightening preparations; hair waving preparations; color-removing preparations; leather bleaching preparations; mouthwashes, not for medical purposes; cosmetic preparations for slimming purposes; make-up removing preparations; nail care preparations; collagen preparations for cosmetic purposes; aloe vera preparations for cosmetic purposes; sunscreen preparations; breath freshening preparations for personal hygiene; make-up powder; nail varnish removers; vaginal washes for personal sanitary or deodorant purposes; tissues impregnated with cosmetic lotions; tissues impregnated with make-up removing preparations; massage candles for cosmetic purposes; potpourris [fragrances]; bath salts, not for medical purposes; fumigation preparations [perfumes]; astringents for cosmetic purposes; eyebrow cosmetics; make-up preparations; sun-tanning preparations [cosmetics]; hair dyes; neutralizers for permanent waving; cosmetic preparations for eyelashes; cosmetic preparations for skin care; cosmetics; cosmetics for children; cosmetics for animals; mascara; cleansers for intimate personal hygiene purposes, non medicated; douching preparations for personal sanitary or deodorant purposes [toiletries]; bleaching preparations [decolorants] for cosmetic purposes;

antiperspirants [toiletries]; toiletry preparations; phytocosmetic preparations; talcum powder, for toilet use; terpenes [essential oils]; henna [cosmetic dye]; shampoos for animals [non-medicated grooming preparations]; shampoos for pets [non-medicated grooming preparations]; dry shampoos; shampoos; herbal extracts for cosmetic purposes; extracts of flowers [perfumes]; ethereal essences; badian essence; mint essence [essential oil]” in International Class 3; and “Nightlights [candles]; perfumed candles; Christmas tree candles; candles” in International Class 4.

7. On September 18, 2019, Petitioner’s Application was refused registration by the USPTO Examining Attorney based, in part, on an asserted likelihood of confusion with Respondent’s Registration under Section 2(d) of the Trademark Act. Printouts of Petitioner’s Application record from TSDR and the Office Action are attached hereto as Exhibit A.

8. Petitioner has standing with respect to its Section 14 claim because Petitioner’s Application has been refused registration based upon the Examining Attorney’s assertion of a likelihood of confusion with Respondent’s Registration.

Abandonment of Respondent’s Registration

9. Petitioner repeats and realleges each and every allegation set forth in Paragraphs 1 through 8.

10. Upon information and belief, Do Not Disturb, Inc., a Georgia corporation (“Respondent”), was formed on March 6, 2000.

11. Upon information and belief, Respondent has abandoned use of the mark DO NOT DISTURB, shown in Respondent’s Registration, pursuant to Section 14(3), 15 U.S.C. §1064(3).

12. Upon information and belief, Respondent is not currently using the mark DO NOT DISTURB in connection with the goods listed in Respondent’s Registration.

13. Upon information and belief, Respondent discontinued use of the DO NOT DISTURB mark, shown in Respondent's Registration, at least as early as October 2016.

14. Upon information and belief, Respondent was administratively dissolved on May 30, 2010 for failure to file an annual registration. Printouts of the Georgia Corporations Division Business Search Record and Certificate of Administrative Dissolution/Revocation are attached hereto as Exhibit B.

15. Upon information and belief, Respondent received a Certificate of Reinstatement on January 28, 2013. Printouts of the Georgia Corporations Division Business Search Record and Certificate of Reinstatement are attached hereto as Exhibit C.

16. Upon information and belief, Respondent is no longer an active corporation in the state of Georgia and has made no filings with the state of Georgia since 2013.

17. Upon information and belief, Respondent is no longer in business.

18. Upon information and belief, Respondent's domain name (www.dodisturb.com) has been inactive since at least as early as October 2016.

19. Upon information and belief, Respondent's domain name (www.dodisturb.com) has been abandoned and is no longer owned by Respondent. A website printout is attached hereto as Exhibit D.

20. Upon information and belief, Respondent's U.S. Trademark Registration No. 3,037,630, for the mark DO NOT DISTURB, in connection with "All purpose cotton swabs for personal use, essential oils for personal use, personal deodorants, sachets, body creams, body oils, body lotions, body exfoliates, massage oils, bath gels, bath soap bars, bath salts and body powder" in Class 3, was cancelled on August 5, 2016, due to a failure to file a combined Declaration of Use

and Renewal Application with the USPTO by July 3, 2016. Printouts of the application record from TSDR and the Registration Certificate are attached hereto as Exhibit E.

21. Upon information and belief, Respondent has no intent to resume use of Respondent's Registration in commerce, in connection with the goods identified in Respondent's Registration.

Damage to Petitioner and Request for Relief

22. In view of Respondent's abandonment of Respondent's Registration, Respondent is not entitled to continued registration of the mark pursuant to Section 14(3) of the Trademark Act, 15 U.S.C. §1064(3), and, as such, Respondent's Registration should be canceled.

23. If Respondent's Registration is not canceled, such registration may continue to block the registration of Petitioner's Application. Such continued registration would be a source of damage and injury to Petitioner and the purchasing public.

WHEREFORE, Petitioner prays that the Petition for Cancellation be granted, and that U.S. Trademark Registration No. 2,705,012 be canceled.

Date: March 5, 2020

Respectfully submitted,



Joshua B. Goldberg
Howard W. Kline
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(703) 683-8396 (facsimile)
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Attorneys for Petitioner
C.P.C. Creative Perfume Company
Holding SA

EXHIBIT A

Generated on: This page was generated by TSDR on 2020-03-05 09:27:12 EST

Mark: DO NOT DISTURB

DO NOT DISTURB

US Serial Number: 79264321

Application Filing Date: May 08, 2019

Register: Principal

Mark Type: Trademark

TM5 Common Status Descriptor:



LIVE/APPLICATION/Under Examination

The trademark application has been accepted by the Office (has met the minimum filing requirements) and that this application has been assigned to an examiner.

Status: A non-final Office action has been sent (issued) to the applicant. This is a letter from the examining attorney requiring additional information and/or making an initial refusal. The applicant must respond to this Office action. To view all documents in this file, click on the Trademark Document Retrieval link at the top of this page.

Status Date: Sep. 18, 2019

Mark Information

Mark Literal Elements: DO NOT DISTURB

Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

Related Properties Information

International Registration Number: 1480354

International Registration Date: May 08, 2019

Goods and Services

Note:

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis (()) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks *..* identify additional (new) wording in the goods/services.

For: Amber [perfume]; aromatics [essential oils]; air fragrancng preparations; cake flavorings [essential oils]; flavorings for beverages [essential oils]; food flavorings [essential oils]; breath freshening sprays; balms, other than for medical purposes; lip glosses; sachets for perfuming linen; scented water; Javelle water; lavender water; toilet water; depilatory wax; mustache wax; massage gels, other than for medical purposes; heliotropine; make-up; deodorants for pets; deodorants for human beings or for animals; depilatory preparations; air fragrance reed diffusers; scented wood; perfumes; perfumery; decorative transfers for cosmetic purposes; ionone [perfumery]; eyebrow pencils; cosmetic pencils; adhesives for affixing false eyelashes; adhesives for affixing false hair; hair conditioners; beard dyes; cosmetic dyes; cosmetic creams; skin whitening creams; incense; hair spray; nail polish; hair lotions; lotions for cosmetic purposes; after-shave lotions; beauty masks; oils for perfumes and scents; oils for cosmetic purposes; oils for toilet purposes; essential oils; essential oils of cedarwood; essential oils of lemon; essential oils of citron; oils for cleaning purposes; bergamot oil; gaultheria oil; jasmine oil; lavender oil; almond oil; rose oil; almond milk for cosmetic purposes; cleansing milk for toilet purposes; musk [perfumery]; deodorant soap; shaving soap; soap for brightening textile; cakes of toilet soap; antiperspirant soap; soap for foot perspiration; soap; almond soap; mint for perfumery; cosmetic kits; eau de Cologne; bases for flower perfumes; joss sticks; dentifrices; lipstick cases; breath freshening strips; teeth whitening strips; lipsticks; pomades for cosmetic purposes; shaving preparations; cosmetic preparations for baths; bath preparations, not for medical purposes; hair straightening preparations; hair waving preparations; color-removing preparations; leather bleaching preparations; mouthwashes, not for medical purposes; cosmetic preparations for slimming purposes; make-up removing preparations; nail care preparations; collagen preparations for cosmetic purposes; aloe vera preparations for cosmetic purposes; sunscreen preparations; breath freshening preparations for personal hygiene; make-up powder; nail varnish removers; vaginal washes for personal sanitary or deodorant purposes; tissues impregnated with cosmetic lotions; tissues impregnated with make-up removing preparations; massage candles for cosmetic purposes; potpourris [fragrances]; bath salts, not for medical purposes; fumigation preparations [perfumes]; astringents for cosmetic purposes; eyebrow cosmetics; make-up preparations; sun-

tanning preparations [cosmetics]; hair dyes; neutralizers for permanent waving; cosmetic preparations for eyelashes; cosmetic preparations for skin care; cosmetics; cosmetics for children; cosmetics for animals; mascara; cleansers for intimate personal hygiene purposes, non medicated; douching preparations for personal sanitary or deodorant purposes [toiletries]; bleaching preparations [decolorants] for cosmetic purposes; antiperspirants [toiletries]; toiletry preparations; phytocosmetic preparations; talcum powder, for toilet use; terpenes [essential oils]; henna [cosmetic dye]; shampoos for animals [non-medicated grooming preparations]; shampoos for pets [non-medicated grooming preparations]; dry shampoos; shampoos; herbal extracts for cosmetic purposes; extracts of flowers [perfumes]; ethereal essences; badian essence; mint essence [essential oil]

International Class(es): 003 - Primary Class

U.S Class(es): 001, 004, 006, 050, 051, 052

Class Status: ACTIVE

Basis: 66(a)

For: Nightlights [candles]; perfumed candles; Christmas tree candles; candles

International Class(es): 004 - Primary Class

U.S Class(es): 001, 006, 015

Class Status: ACTIVE

Basis: 66(a)

Basis Information (Case Level)

Filed Use: No

Currently Use: No

Filed ITU: No

Currently ITU: No

Filed 44D: No

Currently 44E: No

Filed 44E: No

Currently 66A: Yes

Filed 66A: Yes

Currently No Basis: No

Filed No Basis: No

Current Owner(s) Information

Owner Name: C.P.C. Creative Perfume Company Holding SA

Owner Address: Rue du Mont-de-Sion 8,
c/o Lenhill Partners SA
CH-1206 Genève, SWITZERLAND

Legal Entity Type: SOCIÉTÉ ANONYME (SA)

State or Country SWITZERLAND
Where Organized:

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Joshua B. Goldberg

Docket Number: 63297

Attorney Primary Email Address: jgoldberg@nathlaw.com

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: Joshua B. Goldberg
Nath, Goldberg & Meyer
112 S. West Street
Alexandria, VIRGINIA UNITED STATES 22314

Phone: 703-548-6284

Fax: 703-683-8396

Correspondent e-mail: jgoldberg@nathlaw.com docketing@nathlaw.com
hkline@nathlaw.com

Correspondent e-mail Authorized: Yes

Domestic Representative

Domestic Representative Name: Joshua B. Goldberg

Phone: 703-548-6284

Fax: 703-683-8396

Domestic Representative e-mail: jgoldberg@nathlaw.com

Domestic Representative e-mail Authorized: No

Prosecution History

Date	Description	Proceeding Number
Jan. 17, 2020	CORRECTION FROM IB ENTERED - NO REVIEW REQUIRED	67445
Jan. 09, 2020	CORRECTION TRANSACTION RECEIVED FROM IB	
Oct. 22, 2019	ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED	
Oct. 22, 2019	TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED	
Oct. 05, 2019	REFUSAL PROCESSED BY IB	
Sep. 19, 2019	NON-FINAL ACTION MAILED - REFUSAL SENT TO IB	74217
Sep. 18, 2019	REFUSAL PROCESSED BY MPU	
Aug. 17, 2019	NON-FINAL ACTION (IB REFUSAL) PREPARED FOR REVIEW	
Aug. 16, 2019	NON-FINAL ACTION WRITTEN	92560
Aug. 13, 2019	APPLICATION FILING RECEIPT MAILED	
Aug. 09, 2019	ASSIGNED TO EXAMINER	92560
Aug. 09, 2019	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Aug. 01, 2019	SN ASSIGNED FOR SECT 66A APPL FROM IB	

International Registration Information (Section 66a)

International Registration Number:	1480354	International Registration Date:	May 08, 2019
Priority Claimed Flag:	Yes	Date of Section 67 Priority Claim:	Mar. 29, 2019
Intl. Registration Status:	REQUEST FOR EXTENSION OF PROTECTION PROCESSED	Date of International Registration Status:	Aug. 01, 2019
Notification of Designation Date:	Aug. 01, 2019	Date of Automatic Protection:	Jul. 09, 2021
International Registration Renewal Date:	May 08, 2029		
First Refusal Flag:	Yes		

TM Staff and Location Information

TM Staff Information	
TM Attorney:	GAGLIARDI, JEANINE
Law Office Assigned:	LAW OFFICE 120
File Location	
Current Location:	TMO LAW OFFICE 120 - EXAMINING ATTORNEY ASSIGNED
Date in Location:	Aug. 16, 2019

Generated on: This page was generated by TSDR on 2020-03-05 09:27:29 EST

Mark: DO NOT DISTURB

DO NOT DISTURB

US Serial Number: 79264321

Application Filing Date: May 08, 2019

Register: Principal

Mark Type: Trademark

TM5 Common Status Descriptor:



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Basis: 66(a)

For: Nightlights [candles]; perfumed candles; Christmas tree candles; candles

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U.S Class(es): 001, 006, 015

Class Status: ACTIVE

Basis: 66(a)

Basis Information (Case Level)

Filed Use: No

Currently Use: No

Filed ITU: No

Currently ITU: No

Filed 44D: No

Currently 44E: No

Filed 44E: No

Currently 66A: Yes

Filed 66A: Yes

Currently No Basis: No

Filed No Basis: No

Current Owner(s) Information

Owner Name: C.P.C. Creative Perfume Company Holding SA

Owner Address: Rue du Mont-de-Sion 8,
c/o Lenhill Partners SA
CH-1206 Genève, SWITZERLAND

Legal Entity Type: SOCIÉTÉ ANONYME (SA)

State or Country SWITZERLAND
Where Organized:

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Joshua B. Goldberg

Docket Number: 63297

Attorney Primary Email Address: jgoldberg@nathlaw.com

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: Joshua B. Goldberg
Nath, Goldberg & Meyer
112 S. West Street
Alexandria, VIRGINIA UNITED STATES 22314

Phone: 703-548-6284

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Correspondent e-mail: jgoldberg@nathlaw.com docketing@nathlaw.com
hkline@nathlaw.com

Correspondent e-mail Authorized: Yes

Domestic Representative

Domestic Representative Name: Joshua B. Goldberg

Phone: 703-548-6284

Fax: 703-683-8396

Domestic Representative e-mail: jgoldberg@nathlaw.com

Domestic Representative e-mail Authorized: No

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Intl. Registration Status:	REQUEST FOR EXTENSION OF PROTECTION PROCESSED	Date of International Registration Status:	Aug. 01, 2019
Notification of Designation Date:	Aug. 01, 2019	Date of Automatic Protection:	Jul. 09, 2021
International Registration Renewal Date:	May 08, 2029		
First Refusal Flag:	Yes		

TM Staff and Location Information

TM Staff Information	
TM Attorney:	GAGLIARDI, JEANINE
Law Office Assigned:	LAW OFFICE 120
File Location	
Current Location:	TMO LAW OFFICE 120 - EXAMINING ATTORNEY ASSIGNED
Date in Location:	Aug. 16, 2019

United States Patent and Trademark Office (USPTO)
Office Action (Official Letter) About Applicant's Trademark Application

**U.S. Application
Serial No.**
79264321

Mark: DO NOT
DISTURB

**Correspondence
Address:**
E. Schelkunova,;
Patent & Law
Firm "YUS"
Prospekt Mira, d.
6
RU-129090
Moscow

RUSSIAN FED.
Applicant:
C.P.C. Creative
Perfume
Company;
Holding ETC.

**Reference/Docket
No.** N/A

**Correspondence
Email Address:**

NONFINAL OFFICE ACTION

International Registration No. 1480354

Notice of Provisional Full Refusal

Deadline for responding. The USPTO must receive applicant's response **within six months of the "date on which the notification was sent to WIPO (mailing date)"** located on the WIPO cover letter, or the U.S. application will be [abandoned](#). To confirm the mailing date, go to the USPTO's [Trademark Status and Document Retrieval \(TSDR\) database](#), select "US Serial, Registration, or Reference No.," enter the U.S. application serial number in the blank text box, and click on "Documents." The mailing date used to calculate the response deadline is the "Create/Mail Date" of the "IB-1st Refusal Note."

Respond to this Office action using the USPTO's Trademark Electronic Application System (TEAS). A link to the appropriate TEAS response form appears at the end of this Office action.

Discussion of provisional full refusal. This is a provisional full refusal of the request for extension of protection to the United States of the international registration, known in the United States as a U.S. application based on Trademark Act Section 66(a). *See* 15 U.S.C. §§1141f(a), 1141h(c).

The referenced application has been reviewed by the assigned trademark examining attorney. Applicant must respond timely and completely to the issues below. 15 U.S.C. §1062(b); 37 C.F.R. §§2.62(a), 2.65(a); TMEP §§711, 718.03.

Summary of Issues:

- Section 2(d) refusal: likelihood of confusion with registered marks;
- Amended identification of goods required (only as to the goods specified below); and

- U.S.-licensed attorney required.

Section 2(d) Refusal: Likelihood of Confusion with Registered Marks

Registration of the applied-for mark is refused because of a likelihood of confusion with the marks in U.S. Registration Nos. 4678944 and 2705012. Trademark Act Section 2(d), 15 U.S.C. §1052(d); *see* TMEP §§1207.01 *et seq.* See the attached registrations.

Trademark Act Section 2(d) bars registration of an applied-for mark that is so similar to a registered mark that it is likely consumers would be confused, mistaken, or deceived as to the commercial source of the goods of the parties. *See* 15 U.S.C. §1052(d). Likelihood of confusion is determined on a case-by-case basis by applying the factors set forth in *In re E. I. du Pont de Nemours & Co.*, 476 F.2d 1357, 1361, 177 USPQ 563, 567 (C.C.P.A. 1973) (called the “*du Pont* factors”). *In re i.am.symbolic, llc*, 866 F.3d 1315, 1322, 123 USPQ2d 1744, 1747 (Fed. Cir. 2017). Only those factors that are “relevant and of record” need be considered. *M2 Software, Inc. v. M2 Commc’ns, Inc.*, 450 F.3d 1378, 1382, 78 USPQ2d 1944, 1947 (Fed. Cir. 2006) (citing *Shen Mfg. Co. v. Ritz Hotel Ltd.*, 393 F.3d 1238, 1241, 73 USPQ2d 1350, 1353 (Fed. Cir. 2004)).

Although not all *du Pont* factors may be relevant, there are generally two key considerations in any likelihood of confusion analysis: (1) the similarities between the compared marks and (2) the relatedness of the compared goods. *See In re i.am.symbolic, llc*, 866 F.3d at 1322, 123 USPQ2d at 1747 (quoting *Herbko Int’l, Inc. v. Kappa Books, Inc.*, 308 F.3d 1156, 1164-65, 64 USPQ2d 1375, 1380 (Fed. Cir. 2002)); TMEP §1207.01.

Similarity of the Marks

The applied-for mark is DO NOT DISTURB. The registered marks are DEUX NOT DISTURB (U.S. Registration No. 4678944) and DO NOT DISTURB (U.S. Registration No. 2705012).

When comparing marks, “[t]he proper test is not a side-by-side comparison of the marks.” *Cai v. Diamond Hong, Inc.*, __ F.3d __, 127 USPQ2d 1797, 1801 (Fed. Cir. 2018) (quoting *Coach Servs., Inc. v. Triumph Learning LLC*, 668 F.3d 1356, 1368, 101 USPQ2d 1713, 1721 (Fed. Cir. 2012)); TMEP §1207.01(b). Instead, marks are compared in their entireties for similarities in appearance, sound, connotation, and commercial impression. *Stone Lion Capital Partners, LP v. Lion Capital LLP*, 746 F.3d 1317, 1321, 110 USPQ2d 1157, 1160 (Fed. Cir. 2014) (quoting *Palm Bay Imps., Inc. v. Veuve Clicquot Ponsardin Maison Fondee En 1772*, 396 F.3d 1369, 1371, 73 USPQ2d 1689, 1691 (Fed. Cir. 2005)); TMEP §1207.01(b)-(b)(v). “Similarity in any one of these elements may be sufficient to find the marks confusingly similar.” *In re Inn at St. John’s, LLC*, 126 USPQ2d 1742, 1746 (TTAB 2018) (citing *In re Davia*, 110 USPQ2d 1810, 1812 (TTAB 2014)); TMEP §1207.01(b).

In the present case, applicant’s mark and the mark in U.S. Registration No. 2705012 are identical in appearance, sound, and meaning, “and have the potential to be used . . . in exactly the same manner.” *In re i.am.symbolic, llc*, 116 USPQ2d 1406, 1411 (TTAB 2015), *aff’d*, 866 F.3d 1315, 123 USPQ2d 1744 (Fed. Cir. 2017). Additionally, because they are identical, these marks are likely to engender the same connotation and overall commercial impression when considered in connection with applicant’s and registrant’s respective goods. *Id.* Therefore, these marks are confusingly similar.

The applied-for mark is also confusingly similar to the mark in U.S. Registration No. 4678944. In addition to conveying the same commercial impression, the applied-for mark and this registered mark are phonetic equivalents. Similarity in sound alone may be sufficient to support a finding that the marks are confusingly similar. *In re White Swan Ltd.*, 8 USPQ2d 1534, 1535 (TTAB 1988); TMEP §1207.01(b)(iv).

These marks are also confusingly similar in appearance. Marks may be confusingly similar in appearance where, as here, similar phrases appear in the compared marks and create a similar overall commercial impression. *See Crocker Nat’l Bank v. Canadian Imperial Bank of Commerce*, 228 USPQ 689, 690-91 (TTAB 1986), *aff’d sub nom. Canadian Imperial Bank of Commerce v. Wells Fargo Bank, Nat’l Ass’n*, 811 F.2d 1490, 1495, 1 USPQ2d 1813, 1817 (Fed. Cir. 1987) (finding COMMCASH and COMMUNICASH confusingly similar); TMEP §1207.01(b)(ii)-(iii).

Relatedness of the Goods

Applicant seeks to register its mark for cosmetics, including aromatic oils and perfumery, and candles. The registered marks are for “mittens and booties for cosmetic purposes to be used with aromatherapy oils and scents” (U.S. Registration No. 2705012) and “Household deodorizer” (U.S. Registration No. 4678944).

The compared goods need not be identical or even competitive to find a likelihood of confusion. *See On-line Careline Inc. v. Am. Online Inc.*, 229 F.3d 1080, 1086, 56 USPQ2d 1471, 1475 (Fed. Cir. 2000); TMEP §1207.01(a)(i). They need only be “related in some manner and/or if the circumstances surrounding their marketing are such that they could give rise to the mistaken belief that [the goods and/or services] emanate from the same source.” *Coach Servs., Inc. v. Triumph Learning LLC*, 668 F.3d 1356, 1369, 101 USPQ2d 1713, 1722 (Fed. Cir. 2012) (quoting *7-Eleven Inc. v. Wechsler*, 83 USPQ2d 1715, 1724 (TTAB 2007)); TMEP §1207.01(a)(i).

For example, where evidence shows that the goods at issue have complementary uses, and thus are often used together or otherwise purchased by the same purchasers for the same or related purposes, such goods have generally been found to be sufficiently related such that confusion would be likely if they are marketed under the same or similar marks. *See Polo Fashions, Inc. v. La Loren, Inc.*, 224 USPQ 509, 511 (TTAB 1984) (holding bath sponges and personal products, such as bath oil, soap, and body lotion, to be related because they are complementary goods that are likely to be purchased and used together by the same purchasers). In the present case, applicant's goods have a purpose that is complementary to the goods identified in U.S. Registration No. 2705012, and thus the parties' goods are often used together or otherwise purchased by the same purchasers for the same or related purposes. *See, Identification of Goods in Application; Identification of Goods* in attached U.S. Registration No. 2705012. Thus, these goods are sufficiently related such that confusion would be likely if they are marketed under the same or similar marks.

The applicant's goods are also related to the goods identified in U.S. Registration No. 4678944. The attached Internet evidence from www.yankeecandle.com, www.bathandbodyworks.com, and www.glade.com, consisting of excerpts from websites of entities that produce goods like applicant's and registrant's, establishes that the same entity commonly produces the relevant goods and markets them under the same mark and the relevant goods are sold through the same trade channels and used by the same classes of consumers in the same fields of use. Thus, applicant's and registrant's goods are considered related for likelihood of confusion purposes. *See, e.g., In re Davey Prods. Pty Ltd.*, 92 USPQ2d 1198, 1202-04 (TTAB 2009).

Although applicant's mark has been refused registration, applicant may respond to the refusal by submitting evidence and arguments in support of registration. Applicant must also respond to the requirements set forth below.

Amended Identification of Goods Required

The stated requirement refers only to the goods specified below and does not bar registration for the other goods identified in the application.

The classification and identification of goods in the application are:

Class 003: Amber [perfume]; aromatics [essential oils]; air fragrancng preparations; cake flavorings [essential oils]; flavorings for beverages [essential oils]; food flavorings [essential oils]; breath freshening sprays; balms, other than for medical purposes; lip glosses; sachets for perfuming linen; scented water; Javelle water; lavender water; toilet water; depilatory wax; mustache wax; massage gels, other than for medical purposes; heliotropine; make-up; deodorants for pets; deodorants for human beings or for animals; depilatory preparations; air fragrance reed diffusers; scented wood; perfumes; perfumery; decorative transfers for cosmetic purposes; ionone [perfumery]; eyebrow pencils; cosmetic pencils; adhesives for affixing false eyelashes; adhesives for affixing false hair; hair conditioners; beard dyes; cosmetic dyes; cosmetic creams; skin whitening creams; incense; hair spray; nail polish; hair lotions; lotions for cosmetic purposes; after-shave lotions; beauty masks; oils for perfumes and scents; oils for cosmetic purposes; oils for toilet purposes; essential oils; essential oils of cedarwood; essential oils of lemon; essential oils of citron; oils for cleaning purposes; bergamot oil; gaultheria oil; jasmine oil; lavender oil; almond oil; rose oil; almond milk for cosmetic purposes; cleansing milk for toilet purposes; musk [perfumery]; deodorant soap; shaving soap; soap for brightening textile; cakes of toilet soap; antiperspirant soap; soap for foot perspiration; soap; almond soap; mint for perfumery; cosmetic kits; eau de Cologne; bases for flower perfumes; joss sticks; dentifrices; lipstick cases; breath freshening strips; teeth whitening strips; lipsticks; pomades for cosmetic purposes; shaving preparations; cosmetic preparations for baths; bath preparations, not for medical purposes; hair straightening preparations; hair waving preparations; color-removing preparations; leather bleaching preparations; mouthwashes, not for medical purposes; cosmetic preparations for slimming purposes; make-up removing preparations; nail care preparations; collagen preparations for cosmetic purposes; aloe vera preparations for cosmetic purposes; sunscreen preparations; breath freshening preparations for personal hygiene; make-up powder; nail varnish removers; vaginal washes for personal sanitary or deodorant purposes; tissues impregnated with cosmetic lotions; tissues impregnated with make-up removing preparations; massage candles for cosmetic purposes; potpourris [fragrances]; bath salts, not for medical purposes; fumigation preparations [perfumes]; astringents for cosmetic purposes; eyebrow cosmetics; make-up preparations; sun-tanning preparations [cosmetics]; hair dyes; neutralizers for permanent waving; cosmetic preparations for eyelashes; cosmetic preparations for skin care; cosmetics; cosmetics for children; cosmetics for animals; mascara; cleansers for intimate personal hygiene purposes, non medicated; douching preparations for personal sanitary or deodorant purposes [toiletries]; bleaching preparations [decolorants] for cosmetic purposes; antiperspirants [toiletries]; toiletry preparations; phytocosmetic preparations; talcum powder, for toilet use; terpenes [essential oils]; henna [cosmetic dye]; shampoos for animals [non-medicated grooming preparations]; shampoos for pets [non-medicated grooming preparations]; dry shampoos; shampoos; herbal extracts for cosmetic purposes; extracts of flowers [perfumes]; ethereal essences; badian essence; mint essence [essential oil].

Class 004: Nightlights [candles]; perfumed candles; Christmas tree candles; candles.

The wording that is underlined in the identification of goods, above, is indefinite and must be clarified. *See* 37 C.F.R. §2.32(a)(6); TMEP §1402.01. For example, the identification must specify the common commercial or generic name of each of the goods, or, if the goods have no common commercial or generic name, applicant must describe the product, its main purpose, and its intended uses. *See id.*

In addition, the wording contains brackets. Generally, applicants should *not* use parentheses and brackets in identifications in their applications so as to avoid confusion with the USPTO's practice of using parentheses and brackets in registrations to indicate goods and/or services that have been deleted from registrations or in an affidavit of incontestability to indicate goods and/or services not claimed. *See* TMEP §1402.12. The only exception is that parenthetical information is permitted in identifications in an application if it serves to explain or translate the matter immediately preceding the parenthetical phrase in such a way that it does not affect the clarity or scope of the identification. *Id.* Therefore, applicant must remove the brackets from the identification and incorporate any bracketed information into the description of the goods.

Applicant may adopt any or all of the following identification, if accurate. In the following, proposed amendments are in **bold**.

Class 003: Amber **in the nature of** perfume; aromatics **in the nature of** essential oils; air fragrancings preparations; cake flavorings **in the nature of** essential oils; flavorings for beverages **in the nature of** essential oils; food flavorings **in the nature of** essential oils; breath freshening sprays; **cosmetics, namely**, balms other than for medical purposes; lip glosses; sachets for perfuming linen; **perfume, namely**, scented water; **cleaning preparations, namely**, Javelle water; lavender water; toilet water; depilatory wax; mustache wax; massage gels, other than for medical purposes; **perfume, namely**, heliotropine; make-up; deodorants for pets; deodorants for human beings or for animals; depilatory preparations; air fragrance reed diffusers; scented wood; perfumes; perfumery; decorative transfers for cosmetic purposes; ionone **in the nature of** perfumery; eyebrow pencils; cosmetic pencils; adhesives for affixing false eyelashes; adhesives for affixing false hair; hair conditioners; beard dyes; cosmetic, **namely**, dyes; cosmetic creams; skin whitening creams; incense; hair spray; nail polish; hair lotions; lotions for cosmetic purposes; after-shave lotions; beauty masks; oils for perfumes and scents; oils for cosmetic purposes; **essential** oils for toilet purposes; essential oils; essential oils of cedarwood; essential oils of lemon; essential oils of citron; oils for cleaning purposes; bergamot oil; gaultheria oil; **essential oil, namely**, jasmine oil; lavender oil; **essential oil, namely**, almond oil; **essential oil, namely**, rose oil; almond milk for cosmetic purposes; cleansing milk for toilet purposes; musk **in the nature of** perfumery; deodorant soap; shaving soap; soap for brightening textile; cakes of toilet soap; antiperspirant soap; soap for foot perspiration; soap; almond soap; mint for perfumery; cosmetic kits **in the nature of make-up kits comprised of lipstick, blush, and eye makeup**; eau de Cologne; **perfumery in the nature of** bases for flower perfumes; joss sticks; dentifrices; lipstick cases; breath freshening strips; teeth whitening strips; lipsticks; pomades for cosmetic purposes; shaving preparations; cosmetic preparations for baths; bath preparations, not for medical purposes; hair straightening preparations; hair waving preparations; color-removing preparations **in the nature of bleaching preparations for household use**; leather bleaching preparations **for household use**; mouthwashes, not for medical purposes; cosmetic preparations for slimming purposes; make-up removing preparations; nail care preparations; collagen preparations for cosmetic purposes; aloe vera preparations for cosmetic purposes; sunscreen preparations; breath freshening preparations for personal hygiene; make-up powder; nail varnish removers; vaginal washes for personal sanitary or deodorant purposes; tissues impregnated with cosmetic lotions; tissues impregnated with make-up removing preparations; massage candles for cosmetic purposes; potpourris **in the nature of** fragrances; bath salts, not for medical purposes; fumigation preparations, **namely**, perfumes; astringents for cosmetic purposes; eyebrow cosmetics; make-up preparations; sun-tanning preparations **in the nature of** cosmetics; hair dyes; **permanent wave preparations, namely**, neutralizers for permanent waving; cosmetic preparations for eyelashes; cosmetic preparations for skin care; cosmetics; cosmetics for children; cosmetics for animals; mascara; cleansers for intimate personal hygiene purposes, non medicated; **toiletries in the nature of** douching preparations for personal sanitary or deodorant purposes; bleaching preparations **in the nature of** decolorants for cosmetic purposes, **namely, hair and nail decolorants; toiletries in the nature of** antiperspirants; **non-medicated** toiletry preparations; phytocosmetic preparations; talcum powder, for toilet use; terpenes **in the nature of** essential oils; henna **dye for** cosmetic **purposes**; shampoos for animals, **namely**, non-medicated grooming preparations; shampoos for pets, **namely**, non-medicated grooming preparations; dry shampoos; shampoos; **topical** herbal extracts for cosmetic purposes; extracts of flowers **in the nature of** perfumes; ethereal essences; badian essence **in the nature of essential oil**; mint essence **in the nature of** essential oil

Class 004: **Candles in the nature of** nightlights; perfumed candles; Christmas tree candles; candles.

For assistance with identifying and classifying goods in trademark applications, please see the USPTO's online searchable [U.S. Acceptable Identification of Goods and Services Manual](#). *See* TMEP §1402.04.

Applicant's goods may be clarified or limited, but may not be expanded beyond those originally itemized in the application or as acceptably narrowed. *See* 37 C.F.R. §2.71(a); TMEP §§1402.06, 1904.02(c)(iv). Applicant may clarify or limit the identification by inserting qualifying language or deleting items to result in a more specific identification; however, applicant may not substitute different goods or add goods not found or encompassed by those in the original application or as acceptably narrowed. *See* TMEP §1402.06(a)-(b). The scope of the goods sets the outer limit for any changes to the identification and is generally determined by the ordinary meaning of the wording in the identification.

TMEP §§1402.06(b), 1402.07(a)-(b). Any acceptable changes to the goods will further limit scope, and once goods are deleted, they are not permitted to be reinserted. TMEP §1402.07(e). Additionally, for applications filed under Trademark Act Section 66(a), the scope of the identification for purposes of permissible amendments is limited by the international class assigned by the International Bureau of the World Intellectual Property Organization (International Bureau); and the classification of goods may not be changed from that assigned by the International Bureau. 37 C.F.R. §2.85(d); TMEP §§1401.03(d), 1904.02(b). Further, in a multiple-class Section 66(a) application, classes may not be added or goods transferred from one existing class to another. 37 C.F.R. §2.85(d); TMEP §1401.03(d).

In addition to amending the identification, applicant may respond to the stated requirement by doing one of the following:

- (1) Deleting the goods to which the requirement pertains; or
- (2) Filing a request to divide out the goods that have not been refused registration, so that the mark may proceed toward publication for opposition for those goods to which the requirement does not pertain. *See* 37 C.F.R. §2.87. *See generally* TMEP §§1110 *et seq.* (regarding the requirements for filing a request to divide). If applicant files a request to divide, then to avoid abandonment, applicant must also file a timely response to this Office action. 37 C.F.R. §2.87(e).

Applicant must also respond to the following requirement.

U.S.-Licensed Attorney Required

The application record indicates that applicant's domicile is outside of the United States in Switzerland, but no attorney who is an active member in good standing of the bar of the highest court of a U.S. State or territory has been appointed to represent the applicant in this matter. All applicants whose permanent legal residence or principal place of business is not within the United States or its territories must be represented by a U.S.-licensed attorney at the USPTO. 37 C.F.R. §§2.2(o), 2.11(a). Thus, applicant is required to be represented by a U.S.-licensed attorney and must appoint one. 37 C.F.R. §2.11(a). This application will not proceed to registration without such appointment and representation. *See id.* *See* [Hiring a U.S.-licensed trademark attorney](#) for more information.

To appoint an attorney, applicant should (1) submit a completed Trademark Electronic Application System (TEAS) [Revocation, Appointment, and/or Change of Address of Attorney/Domestic Representative](#) form and (2) promptly notify the trademark examining attorney that this TEAS form was submitted. Alternatively, if applicant has already retained an attorney, the attorney can respond to this Office action by using the appropriate TEAS response form and provide his or her attorney information in the form and sign it as applicant's attorney. *See* 37 C.F.R. §2.17(b)(1)(ii).

Response to Office Action Required to Avoid Abandonment

For this application to proceed further, applicant must explicitly address each refusal and requirement in this Office action. For a refusal, applicant may provide written arguments and evidence against the refusal, and may have other response options if specified above. For a requirement, applicant should set forth the changes or statements. Please see "[Responding to Office Actions](#)" and the informational [video "Response to Office Action"](#) for more information and tips on responding.

[Click to file a response to this nonfinal Office action](#)

/Jeanine Gagliardi/
Examining Attorney
Law Office 120
571-272-3177
jeanine.gagliardi@uspto.gov

RESPONSE GUIDANCE

- **Missing the response deadline to this letter will cause the application to [abandon](#).** A response or notice of appeal must be received by the USPTO before midnight **Eastern Time** of the last day of the response period. TEAS and ESTTA maintenance or [unforeseen circumstances](#) could affect an applicant's ability to timely respond.
- **[Responses signed by an unauthorized party](#)** are not accepted and can **cause the application to [abandon](#)**. If applicant has an attorney, the response must be signed by the attorney.

- If needed, find [contact information for the supervisor](#) of the office or unit listed in the signature block.

Print: Aug 15, 2019

75898549

DESIGN MARK

Serial Number

75898549

Status

REGISTERED AND RENEWED

Word Mark

DO NOT DISTURB

Standard Character Mark

No

Registration Number

2705012

Date Registered

2003/04/08

Type of Mark

TRADEMARK

Register

PRINCIPAL

Mark Drawing Code

(1) TYPED DRAWING

Owner

DO NOT DISTURB, INC. CORPORATION GEORGIA STE 103 PMB 360 5665 ATLANTA
HIGHWAY ALPHARETTA GEORGIA 30004

Goods/Services

Class Status -- ACTIVE. IC 003. US 001 004 006 050 051 052. G & S:
Heated mittens and booties for cosmetic purposes to be used with
aromatherapy oils and scents. First Use: 2000/01/01. First Use In
Commerce: 2000/03/06.

Filing Date

2000/01/19

Examining Attorney

LORENZO, GEORGE

Attorney of Record

Stephen M. Dorvee

DO NOT DISTURB

Print: Aug 15, 2019

86319502

DESIGN MARK

Serial Number

86319502

Status

REGISTERED

Word Mark

DEUX NOT DISTURB

Standard Character Mark

Yes

Registration Number

4678944

Date Registered

2015/01/27

Type of Mark

TRADEMARK

Register

PRINCIPAL

Mark Drawing Code

(4) STANDARD CHARACTER MARK

Owner

ACCELERATED MANUFACTURING SOLUTIONS, INC. CORPORATION TEXAS 5501 LBJ
FREEWAY, SUITE 901 DALLAS TEXAS 75240

Goods/Services

Class Status -- ACTIVE. IC 005. US 006 018 044 046 051 052. G & S:
Household deodorizer. First Use: 2014/05/26. First Use In Commerce:
2014/05/26.

Filing Date

2014/06/24

Examining Attorney

GARTNER, JOHN

Attorney of Record

Lisa Normand

DEUX NOT DISTURB



★★★★☆ 2.5 | 88 Reviews | Write a Review

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AVAILABLE PRODUCTS



ALL FRAGRANCES





Toasty Pumpkin Spice



Elegant Amber & Oud™



Lemon Fresh



Warm Flannel Embrace



Blooming Peony and Cherry



— BENEFITS

Designed to fight tough odors and instantly freshen the air in your bathroom. With 2.5x smaller droplets* there's no starchy residue left behind, just freshness that floats. Use Glade® Room Spray as a final touch after your cleaning routine. Available in a wide variety of fragrances.

*When compared with Febreze Air Effects

+ SAFETY

+ DIRECTIONS

+ FAQs & TIPS

+ SUSTAINABILITY

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Automatic Spray



Glade® Sense & Spray® Automatic Freshener



Essential Room Mist

3.5
88 Reviews
Write a Review

65%
of respondents would recommend this to a friend

5 Stars: 46
4 Stars: 4
3 Stars: 8
2 Stars: 5
1 Star: 24

Most Recent



★★★★★ Please bring back Dancing Flowers!

My mother and I fell in love with the smell of Dancing Flowers regret not buy all the cans. I

Bottom Line Yes, I would recommend to a friend.

Was this review helpful to you? 0 0 [FLAG THIS REVIEW](#)

Submitted 16 days ago
By Gabby
From Pomona, Ca



★★★★★ Please keep this Lemon fresh line!!!!

Please don't take this Lemon Fresh line off the shelf. This is the best fresh scent that does not upset my allergies I can use it and it is not overpowering in any way. My coworkers and I love this scent and beg you people at Glade to consider making this a full time product. I am a allergies sufferer and this is the only scent line that I don't have a sneeze attack with. I can use it and the solids without sneezing my head off. I love the smell of this, it's just like you sliced a bunch of lemons every time you walk into the room. It makes for a happy work space and a happy home. so please consider making the lemon fresh line permanent product line.

Bottom Line Yes, I would recommend to a friend.

Was this review helpful to you? 0 0 [FLAG THIS REVIEW](#)

Submitted 17 days ago
By Cam
From Tennile, Georgia



☆☆☆☆☆ Spray Nozzel not Working!

I have had the same problem Vicki from Texas had - This has happened to me on numerous can - Spray Nozzel not Working! Submitted 2 months ago By Vicki From TX Verified Reviewer "I have two cans of Glade Spray (also known as Glade Room Spray). Both have at least 1/4 of the spray left, however, the spray nozzle has stopped working on both cans. I have tried to get them unstopped with no luck. This is a wast of money. I won't purchase this product again."

Bottom Line No, I would not recommend to a friend.

Was this review helpful to you? 0 0 [FLAG THIS REVIEW](#)

Submitted 17 days ago
By Deb
From Texas



★★★★★ Elegant Amber & Oud

by far the best scent I would love this scent in wax melts and oil for the plug-ins

Bottom Line Yes, I would recommend to a friend.

Was this review helpful to you? 0 0 [FLAG THIS REVIEW](#)

Submitted 23 days ago
By King
From Pennsylvania



★★★★☆ I buy your room spray and use it daily.

I enjoy many of your fragrances and like to keep a variety of sprays in my bathrooms. I like to use different ones each day. I DO NOT LIKE that you stopped putting the colorful tops on the cans. The beige tops that you put on all the fragrances are so BLAH! The different brightly colored tops from the past were very decorative looking in a holder in which I placed 3 different fragrances. I always mixed them up to make a pretty colorful display. I also quickly identified the fragrance by not only the pretty label, but also the matching colorful top. I really miss those. I guess you got cheap and made all the fragrances have all the same colored tops to save a few cents. I am now looking at other brands to see if any of those have colorful labels and matching tops that will fit in my display holder. Really wish you had not changed the tops because I do not want to have to change brands.

Was this review helpful to you? 0 2 [FLAG THIS REVIEW](#)

★★★★★ g'treat aroma

This is the only fragrance that my husband and I have ever agreed on and we have been married 41 years. Please continue making sultry amber rhythm.

Bottom Line Yes, I would recommend to a friend.

Was this review helpful to you? 3 0 [FLAG THIS REVIEW](#)

★★★★★ Great

I he best air freshener I have ever smelled. I'm in love!

Bottom Line Yes, I would recommend to a friend.

Was this review helpful to you? 1 0 [FLAG THIS REVIEW](#)

★★★★☆ I like this

Tang of sweet berries and fresh crop aroma. Yes I want more. Hope its not sold out.

Bottom Line Yes, I would recommend to a friend.

Was this review helpful to you? 1 0 [FLAG THIS REVIEW](#)

☆☆☆☆☆ Spray Nozzel not Working!

Submitted 1 month ago
By BETTY
From North Carolina

Submitted 1 month ago
By cory
From Atlanta, GA

Submitted 1 month ago
By Ray
From Wisconsin

Submitted 2 months ago
By A.Jay
From Gloversville N.Y.



👍👍👍👍👍 **spray nozzel not working:**

I have two cans of Glade Spray (also known as Glade Room Spray). Both have at least 1/4 of the spray left, however, the spray nozzle has stopped working on both cans. I have tried to get them unstopped with no luck. This is a waste of money. I won't purchase this product again.

Submitted 2 months ago
By Vicki
From TX

Merchant Response

Oh no, Vicki! You should certainly get full use from every can, so we'd like to help further with this. You can shoot us an email here: <https://contact.scjbrands.com/en-us>. Or call us weekdays from 8 AM to 6 PM CT at 1-800-558-5252. Your reference number is: 019509453A.

Bottom Line No, I would not recommend to a friend.

Was this review helpful to you? [FLAG THIS REVIEW](#)

★★★★★ **Differently alluring!**

This scent was in the bathroom at my manicurist and I loved it! I'm going to look for it the next time I'm at the grocery store and get about half a dozen to put around my house.

Submitted 3 months ago
By Mom of 10
From Zion, IL
 Verified Reviewer

Bottom Line Yes, I would recommend to a friend.

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A Product For Every Moment

Turn all of life's moments into something more with products that enhance every experience. With candles & wax melts, oils & gels and sprays, we have the right way to infuse fragrance into all your favorite spaces.



BROWSE ALL PRODUCTS

ALL

CANDLES & WAX MELTS

CAR

OILS & GELS

SOFT SURFACES & FABRICS


SPRAYS AND MIST


CANDLES & WAX MELTS

Let your house glow with Glade® candles and fill




Let your space glow with Glade® candles and fill the air with fragrance that echoes who you are. Add a touch of personality with Glade® Wax melts. RADIANCE. We have a fragrance for that.®






★★★★★
2IN1 CANDLE


NEW






★★★★★
3 WICK CANDLE



★★★★★
ATMOSPHERE COLLECTION™
CRAFTED SOY CANDLE



★★★★★
JAR CANDLE





★★★★★
LARGE CANDLE



★★★★★
WAX MELTS



★★★★★
WAX MELTS WARMER

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HOME / HOME FRAGRANCE / ROOM SPRAYS & MISTS / FRESH COTTON CONCENTRATED ROOM SPRAY



FRESH COTTON

Concentrated Room Spray

★★★★★ 4.8 (24) [Write A Review](#)

\$7.50

1.5 oz / 42.5 g

Mix & Match: 2/\$12

[Details](#)

— 1 +

ADD TO BAG

In Stock

FRAGRANCE

Soft Cotton Blossom, Lemon Zest, Lily of the Valley

OVERVIEW



Customers Also Viewed





ROSE WATER & IVY
Concentrated Room Spray
\$7.50
Mix & Match: 2/\$12



MAHOGANY TEAKWOOD
Concentrated Room Spray
\$7.50
Mix & Match: 2/\$12



BERGAMOT WATERS
Concentrated Room Spray
\$7.50
Mix & Match: 2/\$12



LINEN & LAVENDER
Concentrated Room Spray
\$7.50
Mix & Match: 2/\$12

Reviews

Rating Snapshot

Select a row below to filter reviews:

5 ☆	<div></div>	21
4 ☆	<div></div>	1
3 ☆	<div></div>	2
2 ☆	<div></div>	0
1 ☆	<div></div>	0

Average Customer Ratings

Overall 4.0

1-4 of 24 Reviews

Sort by: Most Recent

5 ☆

mar99 · 4 days ago

smells amazing!

It works so well and makes my place smell so clean and fresh!

Helpful?

Yes: 1

No: 0

Report

Sweepstakes Entry

5 ☆

BPEACOCK · 8 days ago

So fresh!

Helpful?

Yes: 0

No: 0

Report

Sweepstakes Entry

Smells like a fresh load of laundry!

Helpful? ☐ Yes 0 ☐ No 0 [Report](#)

 CandleCrazyBette 15 days ago

 Sweepstakes Entry

GREAT CLEAN SCENTI

I love this Fresh Cotton Room Spray! It has a wonderful, clean, fresh scent that really lasts without overpowering you. Leaves your room smelling great and I really like it to freshen my bedroom in the morning. Smells like I just have all fresh linens on my bed every day! Wish the bottle size was bigger.

Helpful? ☐ Yes 1 ☐ No 0 [Report](#)

 Anonymous 15 days ago

 Sweepstakes Entry

Best room spray

It's always hard finding a good room spray that will spread out and last! I didn't know Bath and body works had them but when I did I stocked up, it's also a really good spray to have in the bathroom in my opinion they fit perfectly in your purse to have on the go as well. I'm so excited to purchase scents for the winter I bet the holiday scents are going to be amazing. I truly love these products. Well everything about bath and body works!



Helpful? ☐ Yes 1 ☐ No 0 [Report](#)

1-4 of 74 Reviews

More You'll Adore





WHITE CITRUS
Super Smooth Body Lotion
\$12.50
Mix & Match: Buy 3, Get 2 Free or Buy 2, Get 1 Free



JAPANESE CHERRY BLOSSOM
Concentrated Room Spray
\$7.50
Mix & Match: 2/\$12



ROSE WATER & IVY
Concentrated Room Spray
\$7.50
Mix & Match: 2/\$12



EUCALYPTUS SPEARMINT
Concentrated Room Spray
\$7.50
Mix & Match: 2/\$12

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5/\$23 Wallflowers
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Candles

2/\$12 Room Sprays

3/\$9 Car Fragrance
Refills

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New Home Fragrance

The White Barn Shop

CANDLES

All Candles

3-Wick Candles

Single Wick Candles

Candle Holders &
Accessories



The White Barn Shop | 3-Wick Candle

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PRODUCT TYPE	FRAGRANCE NAME
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3-Wick Candle X



- AIR FRESHENERS
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- Car Fragrance

CACTUS BLOSSOM
3-Wick Candle
~~\$24.50~~ **\$14.50**
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3-Wick Candle
~~\$24.50~~ **\$14.50**
[ADD TO](#)

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3-Wick Candle
~~\$24.50~~ **\$14.50**
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LIMONCELLO
3-Wick Candle
~~\$24.50~~ **\$14.50**
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3-Wick Candle
~~\$24.50~~ **\$14.50**
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3-Wick Candle
~~\$24.50~~ **\$14.50**
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MIDNIGHT BLUE CITRUS
3-Wick Candle
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BLACK CHERRY MERLOT
3-Wick Candle
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MAHOGANY TEAKWOOD
HIGH INTENSITY
3-Wick Candle



MAHOGANY TEAKWOOD
3-Wick Candle

New!











GOOEY CARAMEL
3-Wick Candle

New!



HONEYCRISP APPLE
3-Wick Candle

<div><div>3-Wick Candle</div><div>\$24.50 \$14.50</div><div>ADD TO</div></div> <div></div> <div><div>New!</div><div>WHITE BIRCH & CITRUS</div><div>3-Wick Candle</div><div>\$24.50 \$14.50</div><div>ADD TO</div></div>	<div><div>3-Wick Candle</div><div>\$24.50 \$14.50</div><div>ADD TO</div></div> <div></div> <div><div>New!</div><div>JASMINE & GREEN TEA</div><div>3-Wick Candle</div><div>\$24.50 \$14.50</div><div>ADD TO</div></div>	<div><div>3-Wick Candle</div><div>\$24.50 \$14.50</div><div>ADD TO</div></div> <div></div> <div><div>New!</div><div>PEPPERED SUEDE</div><div>3-Wick Candle</div><div>\$24.50 \$14.50</div><div>ADD TO</div></div>	<div><div>3-Wick Candle</div><div>\$24.50 \$14.50</div><div>ADD TO</div></div> <div></div> <div><div>New!</div><div>EUCALYPTUS MINT</div><div>3-Wick Candle</div><div>\$24.50 \$14.50</div><div>ADD TO</div></div>
<div></div> <div><div>VANILLA BIRCH</div><div>3-Wick Candle</div><div>\$24.50 \$14.50</div><div>ADD TO</div></div>	<div></div> <div><div>PARIS CAFÉ</div><div>3-Wick Candle</div><div>\$24.50 \$14.50</div><div>ADD TO</div></div>	<div></div> <div><div>CRISP MORNING AIR</div><div>3-Wick Candle</div><div>\$24.50 \$14.50</div><div>ADD TO</div></div>	<div></div> <div><div>PARIS CAFÉ</div><div>3-Wick Candle</div><div>\$24.50 \$14.50</div><div>ADD TO</div></div>

ADD TO



WHITE GARDENIA
3-Wick Candle
~~\$24.50~~ \$14.50
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PEACH BELLINI
3-Wick Candle
~~\$24.50~~ \$14.50
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3-Wick Candle
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3-Wick Candle
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3-Wick Candle
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New!



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3-Wick Candle
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New!



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New!
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3-Wick Candle
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New!
FLANNEL
3-Wick Candle
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New!
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3-Wick Candle
~~\$24.50~~ \$14.50
ADD TO



New!
WINE CELLAR
3-Wick Candle
~~\$24.50~~ \$14.50
ADD TO



New!
APPLE CINNAMON CIDER
3-Wick Candle
~~\$24.50~~ \$14.50
ADD TO



New!
SALTED CARAMEL
3-Wick Candle
~~\$24.50~~ \$14.50
ADD TO



New!
PEPPERED SUEDE
3-Wick Candle
~~\$24.50~~ \$14.50
ADD TO

About White Barn Candles, Wallflowers Plugs & Accessories

Browse our sophisticated selection of White Barn Candles to add elegance to any room. Whether you are looking for 3-wick candles or decorative candle holders, we have a superior selection of our best candles available for you in our White Barn Collection.

Our 3-wick candles are favorites in effortlessly fragranced homes. White Barn crafts the best scented candles by combining a clean, classic design with extraordinary scents. You can still add an extra pop of class to your candle collection with White Barn candle holders. Our luxury luminaries and decorative candle sleeves are the epitome of elegant candle holders.

Our elevated White Barn fragrances are also available as [air freshener plug-ins](#). So don't forget to grab an elegant Wallflowers plug-in and your favorite White Barn Candle [plug-in refills](#) and enjoy the sophistication of White Barn fragrances all day long!

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Home > Car & Flameless > Flameless Fragrance > Best Selling Flameless Fragrance > MidSummer's Night® Concentrated Room Spray

MidSummer's Night®

An intoxicating and masculine blend of musk, patchouli, sage and mahogany cologne. [Read more](#)

Concentrated Room Spray | ★★★★★ 4.9 (51) | Item # 1164424



BEST SELLER



\$8.00

IN STOCK!

STYLE (1 OF 2)

STYLE CHART



Large
Classic Jar
Candles



Medium
Classic Jar
Candles



Small
Classic Jar
Candles



Large
3 Wick
Tumbler
Candles



Medium
2 Wick
Tumbler
Candles

SHOW MORE

1

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PRODUCT DETAILS

OVERVIEW SPECIFICATIONS

About This Fragrance

An intoxicating and masculine blend of musk, patchouli, sage and mahogany cognac.


Fragrance Notes:

Top: Citrus, Herbaceous, Woody, Bergamot, Lime
Mid: Lavender, Pine Floral Sage
Base: Cedarwood, Vetiver, Juniper Berry, Clary Sage, Moss
Top note is the initial impression of the fragrance, middle note is the main body of the scent and base is its final impression.

About Concentrated Room Sprays

Fill any room with your favorite fragrance in just two sprays. Plus, in those rooms that aren't exactly guest-worthy, neutralize odors instantly. Think your teenager's bedroom, the laundry room, that posky pet area and the bathroom—fixed—with just a few sprays. Now that's better! Please Note: GROUND SHIP ONLY to the contiguous 48 states.

CANDLE SIZE COMPARISON

						
	SAMPLERS' VOTIVE CANDLES	SMALL CLASSIC JAR CANDLES	LARGE CLASSIC JAR CANDLES	LARGE TUMBLER CANDLES	MEDIUM TUMBLER CANDLES	MEDIUM CLASSIC JAR CANDLES
Dimensions	1.5" H x 1.6" D	3.4" H x 2.3" D	7" H x 3.75" D	5.625" H x 3.75" D	3.75" H x 3.75" D	5.25" H x 3.75" D
Wick	Single	Single	Single	Double	Double	Single
Burn Time	Up to 15 hours	20 to 30 hours	110 to 150 hours	75 to 110 hours	40 to 50 hours	65 to 75 hours
Weight	1.75 oz	3.7 oz	22 oz	22 oz	12.5 oz	14.5 oz
Manufactured	USA	USA	USA	USA	USA	USA
Wax Type	Melted Wax	Melted Wax	Melted Wax	Soy Wax	Soy Wax	Melted Wax

CUSTOMER REVIEWS

★★★★★ 4.9 51 Reviews

Search topics and reviews

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Raining Statistics

Select a row below to filter reviews



Average Customer Ratings



1-8 of 51 Reviews

Sort by: Most Recent



Pam Hooker

Utah

Reviews 3

Vote 1

Gender Female

★★★★☆ 19 days ago

Strong and masculine

This fragrance is much like men's cologne. I didn't care for this fragrance at all and tried to give it away. I could not find a recipient.

How does your favorite fragrance make you feel? I don't care for it at all so I don't use it
Why do you like to pick new fragrances? Fragrance effects moods / emotions
What time of day do you light your candles? Evening on workdays and morning on weekends
Are there any special occasions you look forward to using our candles for? Holidays especially in the fall and winter! Also fruity ones in the spring.
Who do you give candles to as gifts? Family and coworkers
What room of the house is your favorite place to enjoy our fragrances? Throughout the house
My home décor is: Casual and comfortable

Pros - Fragrance Odor Elimination

☐ No, I do not recommend this product.

Helpful? **Yes - 0** **No - 1** **Report**

Value

Quality

Helpful?

Yes - 0

No. 1

Report

Comment

Response from Yankee Candle:

Home Fragrance - 18 days ago

We appreciate your feedback on our MidSummer's Night® fragrance and are sorry to hear of your disappointment. That is definitely not the kind of experience that we want you to have. All feedback that we receive, whether it is good or bad helps us to achieve our high standards of guest support that we thrive to obtain.

The good news is, you are welcome to an even exchange at any of our Yankee Candle® store locations (excluding outlet stores.) There is no receipt needed, and our sales associates will be happy to help you pick a fragrance that is more suited to you!

Anonymous
Southern MD
Review 1
Votes 0
Gender Female

★★★★★ 2 months ago

Love!

This has been my favorite candle scent for over 20 years. I'm thankful that Yankee Candles unlike many other companies have not discontinued my favorite after all this time. Also I was impressed with the way they were shipped, there was actually no broken glass! Midsummers night is the perfect scent in my opinion.

How does your favorite fragrance make you feel? Happy
Why do you like to pick new fragrances? I don't
What time of day do you light your candles? Anytime I feel like it, I don't have a routine
Are there any special occasions you look forward to using our candles for? No
Who do you give candles to as gifts? I don't
What room of the house is your favorite place to enjoy our fragrances? Whichever room I'm hanging out in at the time
My home décor is: Classy elegant

Pros - Fragrance Air Freshening/Fragrancing

✓ Yes, I recommend this product.

Helpful? Yes - 0 No - 0 Report

Comment

Value
Quality

Caylenwovan
Review 1
Votes 0
Gender Female

★★★★★ 3 months ago

It does what the ad claims.

Yankee Candle® MidSummer's Night® Fragrance Soy Candle 11.5 oz. (326g) Yankee Candle® MidSummer's Night® Fragrance Soy Candle 11.5 oz. (326g)

Value

Gender **Female**

I will definitely buy this product again. Great scent and 2 sprays last a long time.

Pros - Fragrance Air Freshening/Fragrancing, Odor Elimination

✓ Yes, I recommend this product.

Helpful?

Yes - 0

No - 0

Report

Comment

Blondie65

Peoria AZ

Reviews 2

Vote 1

Gender **Female**

★★★★★ 6 months ago

Midsummer's night

I have been purchasing this product for MANY years. My husband and son love it. We enjoy fresh room
scent scents and this feels like the best unfortunately the wall unit refills are no longer available in the local
stores so I have to special order them if they would reconsider and bring the refills back to the stores I
would be thrilled.

How does your favorite fragrance make you feel? Rejuvenated

Why do you like to pick new fragrances? I try new ones for a change when they are released

What time of day do you light your candles? Usually in the evening

Are there any special occasions you look forward to using our candles for? All occasions

Who do you give candles to as gifts? Friends and family

My home décor is: Transitional

✓ Yes, I recommend this product.

Helpful?

Yes - 1

No - 0

Report

Comment

Honest617

Northern Ohio

Reviews 34

Votes 283

★ Top 100 Contributor

Gender **Female**

★★★★★ 6 months ago

Masculine. Strong odor eliminator

In my opinion it is a masculine cologne type fragrance. It kinda reminds me of the cologne my husband
sometimes wear (Bvlgari Man Wood Essence) the name is something like that. Anyways, if you like
masculine scents this is probably your go to. The room spray itself is very good. It's STRONG. 1 to 3
sprays will linger in the room for at least a hour depending on the of the room, longer than a hour if it's
a smaller size room. My husband keeps this room spray in his home office. Yankee candle room
sprays last a long time due to their concentrated ingredients.

How does your favorite fragrance make you feel? It's Mainly

My home décor is: Chic

Pros - Fragrance Air Freshening/Fragrancing, Decor Enhancement, Odor Elimination

Value

Quality

Value

Quality

★ Top 100 Contributor

✔ Yes, I recommend this product.

Helpful? **Yes - 2** **No - 0** **Report**

Comment

Craftygins
Albany, NY
Reviews: 2
Vote: 1
Gender: Female

★★★★★ 8 months ago
Great scent in a compact size.

This is my favorite scent for around the house. I even travel with it.
How does your favorite fragrance make you feel? Excited
Why do you like to pick new fragrances? Need to change it up once in a while
What time of day do you light your candles? Don't use candles
Are there any special occasions you look forward to using our candles for? No
Who do you give candles to as gifts? No one
What room of the house is your favorite place to enjoy our fragrances? Living room and bedroom
My home décor is: Traditional

Pros - Fragrance Air Freshening/Fragrancing

✔ Yes, I recommend this product.

Helpful? **Yes - 1** **No - 0** **Report**

Comment

Value
Quality

Dodie
Review: 1
Votes: 3
Gender: Female

★★★★★ 11 months ago
Great product!

I only need one spray of this in any room & I can smell it throughout my entire apartment! None of these are too strong & I have asthma & COPD. I also use your sprayers. Love Yankee Candles!! (Unfortunately I can't use real candles in my apartment.)
How does your favorite fragrance make you feel? Relaxed
Are there any special occasions you look forward to using our candles for? Holidays
Who do you give candles to as gifts? Family & Friends
What room of the house is your favorite place to enjoy our fragrances? Bathroom & Kitchen
Pros - Fragrance Air Freshening/Fragrancing, Odor Elimination

✔ Yes, I recommend this product.

Value
Quality

Helpful? **Yes - 3** **No - 0** **Report**

Comment

William
Mass.
Reviews 44
Votes 81
★ Top 250 Contributor
Gender Male

★★★★★ a year ago
Great masculine scent

A few sprays and it fills a room & last a good time. It is a great masculine scent. My only complaint is the can is wily to smai and I go through way to fast. I think a larger can design would be much better.

→ Pros: Air Freshening/Fragrancing, Odor Elimination

✓ Yes, I recommend this product.

★ Top 250 Contributor



Helpful? **Yes - 1** **No - 0** **Report**

Comment

1-8 of 51 Reviews:



★★★★★ 4.9 | 51 Reviews

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Questions

Ask A Question

1-3 of 3 Questions:

Sort by: Newest questions

Netta64 · a year ago
What store carries this spray?

2
Answers

Answer this Question

Suziebump · 11 months ago
I get everything I need at PROMENADE AT COCONUT POINT 4467 LYONS ROAD COCONUT CREEK, FL 33073 954.684.4498

Helpful? **Yes - 0** **No - 0** [Report](#)

Momms13 · n year ago
How many ounces in a can Concentrated Room Spray?

2
answers

[Answer this Question](#)

Kalcke · 11 months ago
can says 1 1/2 oz.

Helpful? **Yes - 0** **No - 0** [Report](#)

KDismynickname · 5 years ago
what is considered "A SPRAY"

0
answers

[Answer this Question](#)

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Iconic Classic Jar Candles

The shape that started it all—timeless and ready to deliver classic ambiance.





Large Classic Jar Candles



Medium Classic Jar Candles



Small Classic Jar Candles



THE FARMERS MARKET COLLECTION BY YANKEE CANDLE®

NEW! Just-picked fruit, homemade treats, and warm feelings of community. Bring the experience of your local farmers market home with our new fall fragrance collection.

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50th ANNIVERSARY COLLECTION

We've opened our vault to bring you the most-loved fragrances from the last 50 years.

[Shop Now](#)



Classic Jar Candle Facts



Burn Time

Large: 110-150 hours
Medium: 65-75 hours
Small: 20-30 hours



Weight

Large: 22 oz.
Medium: 14.5 oz.
Small: 3.7 oz.



Wick

Natural Fibers

YOU MAY ALSO LIKE



★★★★☆

Farmstand Festival
\$29.50

- 1 + ADD



★★★★☆

Ciderhouse
\$29.50

- 1 + ADD



★★★★★

Dried Lavender & Oak
\$29.50

- 1 + ADD



★★★★☆

Magical Unicorn
\$29.50

- 1 + ADD



★★★★☆

Autumn Wreath™
\$29.50

- 1 + ADD



★★★★☆

Apple Pumpkin
\$29.50

- 1 + ADD

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BRAD RAFFENSPERGER

[HOME \(/\)](#)

BUSINESS SEARCH

BUSINESS INFORMATION

Business Name: **DO NOT DISTURB, INC.** Control Number: **0011452**

Business Type: **Domestic Profit Corporation** Business Status: **Admin. Dissolved**

Business Purpose: **NONE**

Principal Office Address: **530 STAGHORN COURT,
ALPHARETTA, GA,
30004, USA** Date of Formation /
Registration Date: **3/6/2000**

State of Formation: **Georgia** Last Annual Registration
Year: **2013**

Dissolved Date: **05/30/2010**

REGISTERED AGENT INFORMATION

Registered Agent Name: **MARY GEOGHAGAN**

Physical Address: **530 STAGHORN COURT, ALPHARETTA, GA, 30004, USA**

County: **Fulton**

OFFICER INFORMATION

Name	Title	Business Address
MARY GEOGHAGAN	CEO	5665 ATLANTA HWY 103-360, ALPHARETTA, GA, 30004, USA
MARY GEOGHAGAN	CFO	5665 ATLANTA HWY 103-360, ALPHARETTA, GA, 30004, USA
MARY GEOGHAGAN	Secretary	5665 ATLANTA HWY 103-360, ALPHARETTA, GA, 30004, USA

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[Return to Business Search](#)

Office of the Georgia Secretary of State Attn: 2 MLK, Jr. Dr. Suite 313, Floyd West Tower Atlanta, GA 30334-1530,
Phone: (404) 656-2817 Toll-free: (844) 753-7825, WEBSITE: <https://sos.ga.gov/>

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STATE OF GEORGIA

Secretary of State

Corporations Division

315 West Tower

#2 Martin Luther King, Jr. Dr.

Atlanta, Georgia 30334-1530

CERTIFICATE OF Administrative Dissolution/Revocation

I, **Brian P. Kemp**, the Secretary of State of the State of Georgia, do hereby certify under the seal of my office that

DO NOT DISTURB, INC.

was mailed a notice in accordance with Title 14 of the Official Code of Georgia Annotated and was involuntarily or administratively dissolved or its certificate of authority revoked by the Office of Secretary of State on **05/30/2010** for failure to file its annual registration.

This certificate is issued pursuant to Title 14 of the Official Code of Georgia Annotated and is prima-facie evidence of the existence or nonexistence of the facts stated herein.

WITNESS my hand and official seal of the City of Atlanta and the State of Georgia on May 30, 2010



A handwritten signature in black ink, appearing to read 'B: P. Kemp'.

Brian P. Kemp
Secretary of State

EXHIBIT C



GEORGIA CORPORATIONS DIVISION

GEORGIA SECRETARY OF STATE
BRAD RAFFENSPERGER

[HOME \(/\)](#)

BUSINESS SEARCH

BUSINESS INFORMATION

Business Name: **DO NOT DISTURB, INC.** Control Number: **0011452**

Business Type: **Domestic Profit Corporation** Business Status: **Admin. Dissolved**

Business Purpose: **NONE**

Principal Office Address: **530 STAGHORN COURT,
ALPHARETTA, GA,
30004, USA** Date of Formation /
Registration Date: **3/6/2000**

State of Formation: **Georgia** Last Annual Registration
Year: **2013**

Dissolved Date: **05/30/2010**

REGISTERED AGENT INFORMATION

Registered Agent Name: **MARY GEOGHAGAN**

Physical Address: **530 STAGHORN COURT, ALPHARETTA, GA, 30004, USA**

County: **Fulton**

OFFICER INFORMATION

Name	Title	Business Address
MARY GEOGHAGAN	CEO	5665 ATLANTA HWY 103-360, ALPHARETTA, GA, 30004, USA
MARY GEOGHAGAN	CFO	5665 ATLANTA HWY 103-360, ALPHARETTA, GA, 30004, USA
MARY GEOGHAGAN	Secretary	5665 ATLANTA HWY 103-360, ALPHARETTA, GA, 30004, USA

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Office of the Georgia Secretary of State Attn: 2 MLK, Jr. Dr. Suite 313, Floyd West Tower Atlanta, GA 30334-1530,
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STATE OF GEORGIA

Secretary of State

Corporations Division

313 West Tower

2 Martin Luther King, Jr. Drive

Atlanta, Georgia 30334-1530

CERTIFICATE OF REINSTATEMENT

I, **Brian P. Kemp**, the Secretary of State and the Corporations Commissioner of the State of Georgia, hereby certify under the seal of my office that

DO NOT DISTURB, INC.

a Domestic Profit Corporation

was formed on **03/06/2000** and later administratively dissolved on **30th day of May, 2010**. Said Profit Corporation has filed an application for reinstatement, has paid all fees and penalties due to the Secretary of State, and has filed an updated annual registration. Attached hereto is a true and correct copy of said application.

WHEREFORE, said entity is hereby reinstated as of January 28, 2013, having met the requirements for reinstatement under Title 14 of the Official Code of Georgia Annotated. The reinstatement shall relate back to and take effect as of the date of the administrative dissolution and the corporation may resume its business as if the administrative dissolution had never occurred.

WITNESS my hand and official seal in the City of Atlanta
and the State of Georgia on January 28, 2013



A handwritten signature in black ink, appearing to read 'B: P. Kemp', written in a cursive style.

Brian P. Kemp
Secretary of State



GEORGIA SECRETARY OF STATE

Corporations Division
237 Coliseum Drive
Macon, Georgia 31217
(404) 656-2817

Control No: 0011452
Date Filed: 01/28/2013 12:00 AM
Brian P. Kemp
Secretary of State

Brian P. Kemp
Secretary of State

February 13, 2013

Mary Geoghagan
5665 Atlanta Hwy
Ste. 103-165
Milton, GA 30004

Application for Reinstatement of a Domestic Profit Corporation

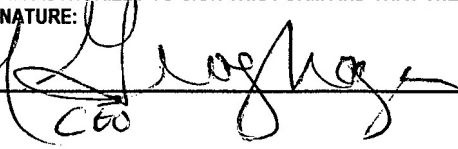
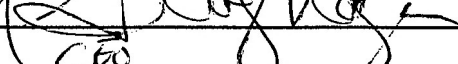
Pursuant to the provisions of Title 14 of the Official Code of Georgia Annotated, the undersigned Domestic Profit Corporation hereby applies to the Secretary of State for a certificate of reinstatement and for that purpose submits the following:

DO NOT DISTURB, INC.

was administratively dissolved by the Office of Secretary of State on the 30th day of May, 2010 for failure to comply with the requirements of Title 14 of the Official Code of Georgia Annotated. Grounds for the dissolution either did not exist or have been eliminated. All taxes owed by the Profit Corporation have been paid. The name, satisfying the Title 14 of the requirements of Official Code of Georgia Annotated, by which the Profit Corporation will hereafter be known, is

DO NOT DISTURB, INC.

This application must be accompanied by the \$250.00 "reinstatement fee". Please complete and return all copies of this form with a check made payable to the Secretary of State for the amount due below. This application must be signed by the Chairperson of the Board of Directors, President, or other Corporate Officer.

CORPORATION NAME	ADDRESS	CITY	STATE	ZIP
DO NOT DISTURB, INC.	530 STAGHORN COURT	ALPHARETTA	GA	30004
CEO: MARY GEOGHAGAN	5665 ATLANTA HWY 103-360	ALPHARETTA	GA	30004
CFO: MARY GEOGHAGAN	5665 ATLANTA HWY 103-360	ALPHARETTA	GA	30004
SEC: MARY GEOGHAGAN	5665 ATLANTA HWY 103-360	ALPHARETTA	GA	30004
AGT: MARY GEOGHAGAN	530 STAGHORN COURT	ALPHARETTA	GA	30004
IF ABOVE INFORMATION HAS CHANGED, TYPE OR PRINT CORRECTIONS BELOW:				
CORPORATION ADDRESS:	5665 Atlanta Hwy 103-165	Milton	GA	30004
CEO:	5665 Atlanta Hwy 103-165	Milton	GA	30004
CFO:	5665 Atlanta Hwy 103-165	Milton	GA	30004
SEC:	5665 Atlanta Hwy 103-165	Milton	GA	30004
AGENT:	5665 Atlanta Hwy 103-165	Milton	Georgia	30004
I CERTIFY THAT I AM AUTHORIZED TO SIGN THIS FORM AND THAT THE INFORMATION IS TRUE AND CORRECT			COUNTY OF REGISTERED OFFICE:	
AUTHORIZED SIGNATURE:  TITLE: CEO Email: 			DATE: 2/13/13	
CONTROL #: 0011452 RR#: 201301240017764			AMOUNT DUE: \$250.00	

Please complete and return the entire form. DO NOT DETACH.

Return application with fees within 60 (sixty) days to avoid an increase in fees or rejection of current application.

EXHIBIT D

Congratulations!

dodisturb.com is available for sale!

Use our secure system to purchase dodisturb.com

Domain Name: **dodisturb.com**

Price: **\$1,989**

Payment Plan: **Payment plan available**
Get the domain immediately after down-payment



Frequently Asked Questions

What is a premium domain?

A premium domain is a domain that is already owned by someone else. Premium domains are more valuable than unregistered domains for a number of reasons including the age of the domain, popularity of keyword(s) in the domain and appeal to specific buyers.

How can I buy this domain?

If the domain has a price listed, that means it is available for sale. Simply click the "Buy Now" button on this page to begin the process. If there is no price listed, that means the domain is for sale via either an auction or an offer/counter-offer sale. You can bid/offer to buy this domain using the "More Info" button.

How soon will I get the domain?

You will receive the domain in your account **immediately** upon issuing payment.

Are there any other costs?

Once you purchase the domain, the only other cost is for annual renewal of the domain. You can choose to leave your domain at NameSilo and enjoy our [extremely competitive pricing](#), or you can transfer to the registrar of your choice any time after 60 days from purchase.

What payment methods are offered?

If the sale price is under \$5,000 then you can pay via credit/debit card, PayPal, AliPay, Skrill or Dwolla. You can also pay using a NameSilo account funds balance which can be funded with the methods above as well as Bitcoin or wire transfer.

If the sale price is \$5,000 or more, then we require a wire transfer to be sent within 7 days of ordering the domain.

EXHIBIT E

Generated on: This page was generated by TSDR on 2020-03-04 12:27:58 EST

Mark: DO NOT DISTURB

DO NOT DISTURB

US Serial Number: 78408679

Application Filing Date: Apr. 27, 2004

US Registration Number: 3037630

Registration Date: Jan. 03, 2006

Register: Principal

Mark Type: Trademark

TM5 Common Status Descriptor:



DEAD/REGISTRATION/Cancelled/Invalidated

The trademark application was registered, but subsequently it was cancelled or invalidated and removed from the registry.

Status: Registration cancelled because registrant did not file an acceptable declaration under Section 8. To view all documents in this file, click on the Trademark Document Retrieval link at the top of this page.

Status Date: Aug. 05, 2016

Publication Date: Oct. 11, 2005

Date Cancelled: Aug. 05, 2016

Mark Information

Mark Literal Elements: DO NOT DISTURB

Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

Related Properties Information

Claimed Ownership of US Registrations: 2705012

Goods and Services

Note:

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis (()) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks *..* identify additional (new) wording in the goods/services.

For: All purpose cotton swabs for personal use, essential oils for personal use, personal deodorants, sachets, body creams, body oils, body lotions, body exfoliates, massage oils, bath gels, bath soap bars, bath salts and body powder

International Class(es): 003 - Primary Class

U.S Class(es): 001, 004, 006, 050, 051, 052

Class Status: SECTION 8 - CANCELLED

Basis: 1(a)

First Use: Jan. 07, 2003

Use in Commerce: Jan. 07, 2003

Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Filed ITU: No

Currently ITU: No

Filed 44D: No

Currently 44E: No

Filed 44E: No

Currently 66A: No

Filed 66A: No

Currently No Basis: No

Filed No Basis: No

Current Owner(s) Information

Owner Name: Do Not Disturb, Inc.

Owner Address: Suite 103-360
5665 Atlanta Highway
Alpharetta, GEORGIA UNITED STATES 30004

Legal Entity Type: CORPORATION

State or Country GEORGIA
Where Organized:

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Stephen M. Dorvee, Esq.

Docket Number: 19188.1

Correspondent

Correspondent Name/Address: Stephen M. Dorvee, Esq.
ARNALL GOLDEN GREGORY LLP
SUITE 2100
171 17TH STREET
ATLANTA, GEORGIA UNITED STATES 30363

Phone: 404.873.8500

Fax: 404.873.8501

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Aug. 05, 2016	CANCELLED SEC. 8 (10-YR)/EXPIRED SECTION 9	
Mar. 14, 2011	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	67723
Mar. 14, 2011	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	67723
Feb. 23, 2011	TEAS SECTION 8 & 15 RECEIVED	
Jan. 03, 2006	REGISTERED-PRINCIPAL REGISTER	
Oct. 11, 2005	PUBLISHED FOR OPPOSITION	
Sep. 21, 2005	NOTICE OF PUBLICATION	
Jun. 26, 2005	LAW OFFICE PUBLICATION REVIEW COMPLETED	78287
Jun. 24, 2005	ASSIGNED TO LIE	78287
Jun. 15, 2005	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jun. 06, 2005	TEAS/EMAIL CORRESPONDENCE ENTERED	77975
May 24, 2005	CORRESPONDENCE RECEIVED IN LAW OFFICE	77975
May 24, 2005	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Dec. 22, 2004	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Nov. 26, 2004	EXAMINER'S AMENDMENT AND/OR PRIORITY ACTION MAILED	
Nov. 24, 2004	EXAMINERS AMENDMENT AND/OR PRIORITY ACTION - COMPLETED	78196
Nov. 22, 2004	ASSIGNED TO EXAMINER	78196
May 05, 2004	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: TMO LAW OFFICE 113

Date in Location: Mar. 14, 2011

Int. Cl.: 3

Prior U.S. Cls.: 1, 4, 6, 50, 51 and 52

Reg. No. 3,037,630

United States Patent and Trademark Office

Registered Jan. 3, 2006

**TRADEMARK
PRINCIPAL REGISTER**

DO NOT DISTURB

DO NOT DISTURB, INC. (GEORGIA CORPORATION)
500 GREENVIEW TERRACE
ALPHARETTA, GA 30004

FOR: ALL PURPOSE COTTON SWABS FOR PERSONAL USE, ESSENTIAL OILS FOR PERSONAL USE, PERSONAL DEODORANTS, SACHETS, BODY CREAMS, BODY OILS, BODY LOTIONS, BODY EXFOLIATES, MASSAGE OILS, BATH GELS, BATH SOAP BARS, BATH SALTS AND BODY POWDER, IN CLASS 3 (U.S. CLS. 1, 4, 6, 50, 51 AND 52).

FIRST USE 1-7-2003; IN COMMERCE 1-7-2003.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

OWNER OF U.S. REG. NO. 2,705,012.

SER. NO. 78-408,679, FILED 4-27-2004.

KELLY CHOE, EXAMINING ATTORNEY